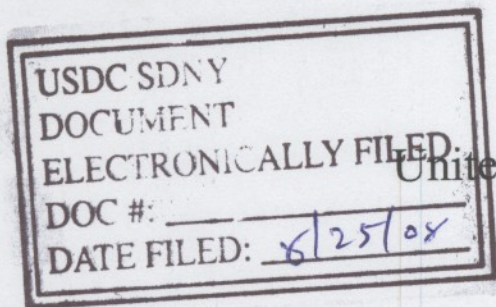


**MANDATE**

S.D.N.Y.-N.Y.C.  
07-cv-7015  
Chin, J.



United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 31<sup>st</sup> day of July, two thousand eight,

Present:

Hon. Sonia Sotomayor,  
Hon. Robert A. Katzmann,  
Hon. Reena Raggi,  
*Circuit Judges.*

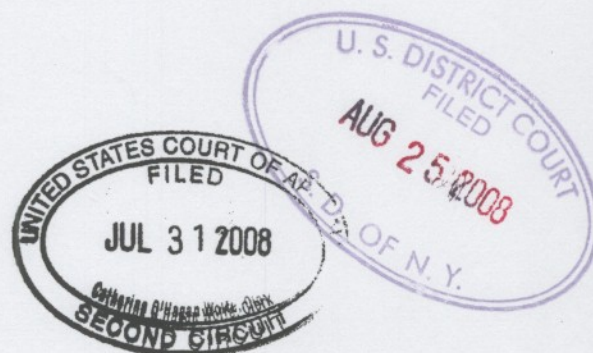
Paris Drake,

*Petitioner-Appellant,*

v.

Superintendent Robert Woods,

*Respondent-Appellee.*



08-2336-pr

Appellant, through counsel, moves for a certificate of appealability and to proceed *in forma pauperis*. Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeal is DISMISSED because Appellant has not made a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c); *Miller-El v. Cockrell*, 537 U.S. 322 (2003).

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk  
by Gustave Phillips  
SAO-CMD DEPUTY CLERK

By: Franklin Rizz

ISSUED AS MANDATE: AUG 22 2008